

REMARKS/ARGUMENTS

The drawings have been objected to because in Figures 2 and 4 though 7 the lines, numbers, and letters are not uniformly thick and well defined. Corrected drawings are attached to this response. Also paragraph [0026] on page 10 of the specification has been amended to correctly describe the drawing of Figure 4.

The examiner has stated that the status of two U.S. non-provisional applications in the priority declaration must be indicated in compliance with 35 USC 120. The priority declaration has been amended.

Claims 1 through 8 and 12 have been rejected under 35 USC 112, second paragraph, as being indefinite because of the term "high-rate" in claims 1 and 12 is a relative term which renders the claims indefinite. Claims 1 and 12 have been amended to remove the term high rate. The process can operate with slow rates.

The examiner has stated that claim 1 recites the limitation "said high-rate anaerobic digestion process" in lines 8 through 9. It is further stated that there is insufficient antecedent basis for this limitation in the claim. The claim has been amended to provide a proper antecedent.

Claims 9 through 11 and 13 through 17 have been found allowable. The examiner has stated that claims 1 through 8 and 12 would be allowable if rewritten or amended to overcome the rejection under 35 USC 112, second paragraph, set forth in the Office Action.

Regarding the examiner comments on allowable subject matter, it is believed that in the Bartels, et al., reference that the feed water is not domestic sewage as may be processed in the case of the instant invention. Bartels, et al., may describe a method of treating a feed water suitable for manofiltration with "no aerobic biological treatment". However, the process of treating domestic sewage in a membrane filtration process without aerobic biological treatment is not believed to be obvious to those knowledgeable in the art nor was it anticipated by Bartels, et al., as the feed water or "aqueous charge liquid".

Amendments to the Drawings:

The attached sheets of drawings include corrections made to Figures 2 and 4 through 7 based on the examiner's comments and these sheets replace original Figure 2 and 4 through 7.

Attachment: Replacement Sheet

In the case of the Burke art, a combining of anaerobic digestion with membranes may be disclosed, but the membrane step is downstream of an anaerobic (or first anaerobic) digestion step. In the instant invention, the membrane separation step is upstream of the anaerobic digestion step.

In addition, it is believed the membrane suggested in Burke would not be an RO or NF type membrane used to concentrate soluble organic material as in the instant invention. The Burke membrane is used to separate insoluble material (solids) not dissolved species (soluble).

The use of the word "membrane" is indefinite related to the Burke art. The membrane suggested in the Burke art is essentially a very fine synthetic screen used to separate insoluble solids from the liquid phase. The membrane has visible holes/pores therein. In the instant invention the membrane used in combination with the anaerobic process may be a true synthetic semi-permeable membrane for use in separating dissolved solids from the liquid phase.

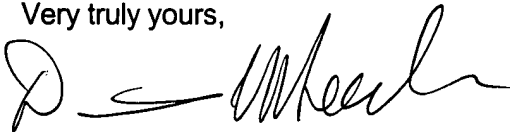
It is believed that the rejections under 35 USC Section 112 have been overcome by amending of the claims and the remarks, and withdrawal thereof is respectfully requested. Amendment and corrections of drawings have been made based on the objections.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the cause for rejections and objections is requested. Allowance of claims 1 through 17 is earnestly solicited.

No additional fee for claims is seen to be required.

If you have any questions do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dennis W. Beech', with a stylized flourish at the end.

DENNIS W. BEECH
Reg. No.: 35,443

DWB/ab

Attachments: 5 Drawing Sheets